

# Rules and Regulations

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## DEPARTMENT OF HOMELAND SECURITY

### 6 CFR Part 27

### 8 CFR Parts 270, 274a, and 280

### Coast Guard

### 33 CFR Part 27

### Transportation Security Administration

### 49 CFR Part 1503

[Docket No. DHS–2016–0034]

RIN 1601–AA80

### Civil Monetary Penalty Adjustments for Inflation

#### Correction

In rule document 2016–15673, appearing on pages 42987–43006 in the issue of Friday, July 1, 2016, make the following correction:

### PART 274a—CONTROL OF EMPLOYMENT OF ALIENS [Corrected]

1. On page 43002, in the first column, on the nineteenth line, amendatory paragraph number 6, appearing in PART 274a, that reads “ ■ 6. In § 4a.8, revise (b) to read as follows:” is corrected as set forth below:

■ 6. In § 274a.8, revise (b) to read as follows:

[FR Doc. C1–2016–15673 Filed 9–8–16; 8:45 am]

BILLING CODE 1505–01–D

## DEPARTMENT OF HOMELAND SECURITY

### 8 CFR Parts 236, 238, 239, 240, 241, and 287

[CBP Dec. 16–14]

### Technical Corrections Relating to Issuance of Notices To Appear, Warrants of Removal, Exercise of Power by Immigration Officers, and Standards for Enforcement Activities

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Department of Homeland Security (DHS) is amending its regulations to update various provisions that list specific immigration officials who are authorized to perform various immigration functions, including the issuance of notices to appear, warrants of removal, and arrest warrants. The lists are outdated and do not reflect the current DHS organizational structure. DHS is updating the lists with the specific officials who are currently authorized to perform these various functions. DHS is also making some technical corrections to update nomenclature and outdated references in the affected provisions.

**DATES:** Effective September 9, 2016.

**FOR FURTHER INFORMATION CONTACT:** Border Patrol Aspects: Cipriano Encinia, U.S. Border Patrol, [Cipriano.Encinia@cbp.dhs.gov](mailto:Cipriano.Encinia@cbp.dhs.gov); Field Operations Aspects: James Ryan Hutton, Office of Field Operations, [James.Hutton@cbp.dhs.gov](mailto:James.Hutton@cbp.dhs.gov); Air and Marine Aspects: Daniel Jordan, Air and Marine Operations, [daniel.a.jordan@cbp.dhs.gov](mailto:daniel.a.jordan@cbp.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Background

The Department of Homeland Security (DHS) was established on January 24, 2003, pursuant to the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135, codified at 6 U.S.C. 101, *et seq.*

Section 441 of the HSA transferred from the Commissioner of Immigration and Naturalization Service to DHS all border security functions, personnel, assets, and liabilities. *See* 6 U.S.C. 251. Pursuant to section 1502 of the HSA, on November 25, 2002, the President

submitted to Congress a reorganization plan. *See* 6 U.S.C. 542. On January 30, 2003, the President submitted a modified reorganization plan, which provided that the Customs Service, now, U.S. Customs and Border Protection (CBP), would contain, among other things, the resources and missions relating to borders and ports of entry of the Customs Service and the Immigration and Naturalization Service. This modified reorganization plan also provided that the Bureau of Border Security, now, the U.S. Immigration and Customs Enforcement (ICE), would contain, among other things, the detention and removal program, the intelligence program, and the investigations program of the Immigration and Naturalization Service.

Additionally, section 451 of the HSA established the Bureau of Citizenship and Immigration Services, now, the U.S. Citizenship and Immigration Services (USCIS), and transferred to it from the Commissioner of the former Immigration and Naturalization Service all adjudications and benefit programs. *See* 6 U.S.C. 271.

Under sections 1101 and 1102 of the HSA, the Department of Justice, Executive Office for Immigration Review (EOIR) retained its functions relating to the immigration and naturalization of aliens. *See* 6 U.S.C. 521.

On June 13, 2003 and November 4, 2005, DHS published two final rules in the **Federal Register** (68 FR 35273 and 70 FR 67087) to conform the text of title 8, Code of Federal Regulations (CFR) parts 236, 239, 241, and 287 to the organizational structures established by the HSA and reorganization plans. Subsequently, the DHS organizational structure has evolved, and this rule revises various sections in these parts to reflect DHS's current structure. The organizational structure described in 8 CFR parts 238, 240, 241, and 287 predates the creation of DHS, and this rule updates various sections in these parts. In addition, DHS is making some technical corrections to update nomenclature and outdated references in the affected provisions. We summarize below the provisions in title 8 CFR that we are updating.

#### A. Apprehension, Custody, and Detention

Title 8, CFR part 236, subpart A (8 CFR part 236, subpart A) describes the